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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,201	08/21/2001	Edwin L. Adair	7018-23-CIP9	8007
22442	7590	12/16/2004	EXAMINER	
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			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/934,201	<b>Applicant(s)</b> ADAIR ET AL.	
	<b>Examiner</b> Andy S. Rao	<b>Art Unit</b> 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-56 is/are allowed.
- 6) ☒ Claim(s) 57-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/2/02</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Specification***

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. Claims 57-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Jacobsen et al, (hereinafter referred to as "Jacobsen").

Jacobsen discloses a method for conducting video telephone communications with a video telephone, the improvement comprising the steps of: providing a camera module having an image sensor housed therein (Jacobsen: column 12, lines 38-39), removing the camera module from connection with the video telephone (Jacobsen: column 12, lines 40-41); pointing the camera module at a targeted object (Jacobsen: column 12, lines 42-43), and selectively taking video images of the targeted object (Jacobsen: column 12, lines 44-46); wirelessly transmitting the video images taken by the image sensor to the video telephone (Jacobsen: column 12, lines 30-35); processing the video images transmitted by the camera module (Jacobsen: column 8, lines 1-37); and selectively viewing the video images on the video telephone and selectively transmitting the video images to another party (Jacobsen: column 9, lines 10-27), as in claim 57.

Regarding claim 58, Jacobsen discloses that the sensor is a CMOS pixel array (Jacobsen: column 14, lines 1-10), as in the claim.

Jacobsen discloses a method for conducting video telephone communications with a video telephone, the improvement comprising the steps of: a camera module having an image sensor housed therein, said camera module for producing video images of a targeted object (Jacobsen: column 12, lines 38-39); means for wireless interconnecting said camera module to said wireless telephone (Jacobsen: column 12, lines 40-41), said means for wirelessly interconnecting enabling said camera module to selectively displaced at a location remote from said wireless telephone (Jacobsen: column 12, lines 42-43), and selectively taking video images of the targeted object (Jacobsen: column 12, lines 44-46); and a video monitor attached to said

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wireless phone for selectively viewing said video images taken by said camera module (Jacobsen: column 13, lines 20-30), and for selectively viewing incoming video images transmitted to another party (Jacobsen: column 9, lines 10-27), as in claim 59.

Regarding claim 60, Jacobsen discloses a video telephone including a housing, and an opening in said housing for receiving and placing said camera module so as to place said camera module in a stored position (Jacobsen: column 12, lines 35-50), as in the claim.

Jacobsen discloses a telephone for receiving and transmitting audio and visual communications to include video signals transmitted by the user of the video telephone, and video signals received from the party to whom a call was made, the video telephone including a housing (Jacobsen: column 13, lines 20-30), and a video monitor for selective viewing of the transmitted and incoming video (Jacobsen: column 8, lines 35-50) the improvement comprising the steps of: a camera module having an image sensor housed therein, said camera module for producing video images of a targeted object (Jacobsen: column 12, lines 38-39); means for wireless interconnecting said camera module to said wireless telephone (Jacobsen: column 12, lines 40-41), said means for wirelessly interconnecting enabling said camera module to selectively displaced at a location remote from said wireless telephone (Jacobsen: column 12, lines 42-43), as in claim 61.

Regarding claim 62, Jacobsen discloses a video telephone including a housing, and an opening in said housing for receiving and placing said camera module so as to place said camera module in a stored position (Jacobsen: column 12, lines 35-50), as in the claim.

Jacobsen discloses a telephone for receiving and transmitting audio and visual communications to include video signals transmitted by the user of the video telephone, and

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video signals received from the party to whom a call was made (Jacobsen: column 13, lines 20-30), the improvement comprising the steps of: a camera module having an image sensor housed therein (Jacobsen: column 12, lines 38-39); a first circuitry means coupled to said image sensor for timing and control of said image sensor (Jacobsen: column 14, lines 1-5); and a second circuitry means communication with said first circuitry means for processing images taken by said image sensor to create video images of a desired video format (Jacobsen: column 5, lines 50-60); means for wireless interconnecting said camera module to said wireless telephone (Jacobsen: column 12, lines 40-41), said means for wirelessly interconnecting enabling said camera module to selectively displaced at a location remote from said wireless telephone (Jacobsen: column 12, lines 42-43), as in claim 63.

Regarding claim 64, Jacobsen discloses a video telephone including a housing, and an opening in said housing for receiving and placing said camera module so as to place said camera module in a stored position (Jacobsen: column 12, lines 35-50), as in the claim.

Jacobsen discloses a telephone for receiving and transmitting audio and visual communications to include video signals transmitted by the user of the video telephone, and video signals received from the party to whom a call was made (Jacobsen: column 13, lines 20-30), the improvement comprising the steps of: a camera module having an image sensor housed therein (Jacobsen: column 12, lines 38-39); a camera module battery housed within said camera module for providing power to said camera module (Jacobsen: column 12, lines 30-35); a camera battery charge circuit housed within the video telephone (Jacobsen: column 13, lines 30-45); a telephone battery housed within the telephone for providing power to said camera battery charge battery circuit (Jacobsen: column 14, lines 60-65); and wherein the camera module is received in

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the video telephone so said camera module battery electrically communicates with said camera battery charge circuit to selectively charge said camera module battery (Jacobsen: column 16, lines 30-40), as in claim 65.

Jacobsen discloses a method for powering and recharging a camera module for use with a video telephone (Jacobsen: column 13, lines 20-30), the method comprising the steps of: providing a video telephone housing a camera battery charge circuit housed therein (Jacobsen: column 13, lines 30-45); providing a camera module housing an image sensor for therein for taking video images (Jacobsen: column 12, lines 38-39); providing a camera module battery housed within said camera module for providing power to said camera module (Jacobsen: column 12, lines 30-35); removing said camera module from seated engagement with the video telephone resulting in activation of said camera module battery for powering said camera module (Jacobsen: column 12, lines 30-45); and returning said camera module to its seated position with said video telephone and in electrical communication with the battery charge circuit to charge said camera module battery (Jacobsen: column 13, lines 20-45), as in claim 66.

***Allowable Subject Matter***

4. Claims 1-56 are allowed.

Independent claims 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, disclose "...a wireless telephone for conducting wireless telephonic communications, the improvement comprising: a video system integral with said telephone for receiving and transmitting video images, and for viewing said video images, said video system comprising; a camera module housing an image sensor therein, said image sensor including an array of pixels for receiving

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images thereon said image sensor further including circuitry means on said first plane and coupled to said array of pixels for timing and control of said array of pixels, said image sensor producing a pre-video signal, a first circuit board mounted in said camera module adjacent said image sensor and electrically coupled to said image sensor, said first circuit board including circuitry means for converting said pre-video signal to a desired video format, said camera module further including a transceiver radio element mounted therein and electrically communicating with said first circuit board to transmit said converted pre-video signal..." which is a feature that is not obvious nor anticipated over the art of record. Accordingly, if rejected claims 57-66 are cancelled, the application would be placed in a condition for allowance.

### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao  
Primary Examiner  
Art Unit 2613

asr  
December 12, 2004

ANDY RAO  
PRIMARY EXAMINER